

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ORLANDO MARTIN,

Plaintiff,

Case No. 2:05-cv-00557 ALA (P)

vs.

ALVARO C. TRAQUINA,

Defendant.

ORDER

On May 27, 2008, Defendant Doctor Alvaro Traquina requested that the Court vacate the settlement conference set for June 12, 2008.¹ (Doc. No.116). Dr. Traquina argues that there is good cause to vacate the Order for a settlement conference because Dr. Traquina has a pending motion for summary judgment. Dr. Traquina also contends that “[b]ased on the grounds, facts and arguments set forth in defendant’s summary judgment motion, defendant believes that a settlement conference would not be worthwhile for the parties or the Court, even in the event defendant’s motion is denied.” *Id.*

Rule 16(a)(5) of the Federal Rules of Civil Procedure provides that “the court may order the attorneys and any unrepresented parties to appear for one or more pretrial conferences for

¹Attendance at the settlement conference is Dr. Traquina’s only objection to the Pretrial Order.

1 such purposes as . . . facilitating settlement.” “A settlement conference shall be held in all cases
2 unless otherwise ordered by the Court on objection of a party or for other good cause.” E.D. Cal.
3 Local Rule 16-270(a). In the May 14, 2008 order, the Court notified the parties that it will
4 decide the pending motion for summary judgment “after the settlement conference, but prior to
5 the date scheduled for trial.” (Doc. No. 108).

6 Accordingly, it is hereby ORDERED that Dr. Traquina’s request to vacate the settlement
7 conference is DENIED.

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9 DATED: May 29, 2008

10 /s/ Arthur L. Alarcón
11 UNITED STATES CIRCUIT JUDGE
12 Sitting by Designation
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